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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

WESTERN WATERSHEDS PROJECT  
al.,

Plaintiffs,

vs.

RANDY MOORE, in his official capacity  
as Chief of the U.S. Forest Service, et al.,

Federal-Defendants.

Case No. 9:22-cv-00149-DLC-  
KLD

**DECLARATION OF PHIL  
KNIGHT**

Pursuant to 28 U. S. C. § 1746, I, Phil Knight, declare under penalty of perjury that the following is true and correct:

1. My name is Phil Knight and I reside in Bozeman, Montana.
2. I have a Bachelor of Science in Natural Resource Conservation from the University of Connecticut and am currently a tour guide in Yellowstone National Park. I am also a freelance writer.
3. I am a long-time member of the Sierra Club (since 2002), and am more recently a member of Gallatin Wildlife Association (since 2020), and Wild Earth Guardians (since 2023). All of these organizations are Plaintiffs in this lawsuit.
4. I support the Sierra Club because of their ability to stand up effectively for wildlife and wild lands. Sierra Club has demonstrated its ability to effectively protect some of the species I am most interested in, such as wolves, grizzly bears and bison. As the nation's oldest conservation organization, Sierra Club packs a lot of experience and clout into their work. I also support Sierra Club's grassroots campaign style that works with volunteers, like myself, and makes us an integral part of the organization's spark.
5. I have been hiking and camping all my life. I also do a lot of canoeing and mountain biking, and am a dedicated mountaineer with hundreds of summits. I enjoy backcountry skiing and Nordic skiing as well as wildlife watching and bird

watching. My wife Alaina and I are life-long hikers and in 1991 we backpacked for 10-weeks around Greater Yellowstone, finishing our trek at Pine Creek in Paradise Valley.

6. I spend a lot of time in Paradise Valley, with frequent floating trips down the Yellowstone River. I have climbed Emigrant Peak from the Six Mile trailhead and skied the Emigrant Gulch area several times. I have been hiking and backpacking in Mill Creek since 1985 and have climbed Mount Cowen. I also have stayed in the Mill Creek Guard Station and skied in Mill Creek and to Passage Creek Falls. I have ice climbed in Pine Creek, hiked to Pine Creek Falls and Pine Creek Lake and climbed Black Mountain four times. All of these places, are among some of my favorite to recreate in, are near the East Paradise allotments at issue in this case.

7. I drive through the Paradise Valley all of the time on my way to work in Yellowstone National Park. Sometimes I stop and take a walk along the river and drive the East River Road. I've camped on islands in the Yellowstone River and rafted the river and swum in it many times. Recently, my wife and I enjoyed a stay at Sage Lodge in Paradise Valley. I plan to go back to Paradise Valley in early December 2024 (the week of December 11<sup>th</sup> or the following) as I drive to

Yellowstone National Park. My wife and I plan to go back to Paradise Valley later this winter for some hiking or skiing at Mill Creek or Pine Creek, as well.

8. I appreciate the presence of grizzly bears and other native wildlife in the eastern part of Paradise Valley and have seen sign of them many times. These animals belong there, unlike cattle, which are not native animals. I have seen elk in this area hundreds of times, including large herds, as well as pronghorn and mule deer.

9. My parents were active hikers and campers, and my mom was a bird watcher. They instilled in me an appreciation for nature and wildlife. I joined the Boy Scouts at the age of 12 and hiked and backpacked all over New England. During college, I was a member of the Outing Club and went on adventures all over New England. My sense of adventure and of exploring the outdoors and natural world, including all of the unique and rare wildlife included in it, has been deeply rooted throughout my lifetime.

10. My desire to see the Western U.S. took me to Yellowstone in 1982, where I worked for two seasons at Lake Hotel. I was lucky enough to explore a lot of Yellowstone National Park, and the surrounding area, including Paradise Valley during this time. I saw my first grizzly bears in 1982 during a solo backpacking trip, and was inspired to learn more about them. It was a life-changing moment -- here

were the wildest, most spectacular animals in North America, and I was alone in the wilderness, watching them. Later I found their tracks in the snow. It was a truly moving experience and one that I still remember to this day.

11. During the 1980s, I got involved in the environmental movement and served as the director of the Grizzly Bear Task Force, working to protect grizzlies throughout North America. Back then, there were only about 130-150 grizzlies in the Greater Yellowstone region. I organized protests in Yellowstone National Park against the development of the Fishing Bridge recreational area because of the potential impacts to grizzly bears and their habitat, and was vocal about the National Park Service's poor record of grizzly bear management. I even met with Bill Mott, director of the National Park Service, while dressed in a bear suit. I was, and remain, very concerned about the long-term survival and recovery of grizzly bears in the Yellowstone region, including Paradise Valley, and their ability to connect to other populations and be fully restored and recovered elsewhere across the West.

12. In the 1990s, I toured the West Coast and the Rockies with a traveling roadshow called "the Grizzly Bear Revival Show," advocating for restoration of grizzlies in California, Oregon and Colorado. That decade also took me all over the world working for conservation of native forests in Australia, South America, Europe, Asia and New Zealand.

13. Since 1986, I have worked on behalf of native forests and native wildlife in the Greater Yellowstone area and am well known as an environmental activist and as an outspoken conservationist and writer. I have worked for a variety of organizations advocating on behalf of grizzly bears and their habitat, such as: Native Forest Network, Taiga Rescue Network, Earthjustice, Sierra Club, WildEarth Guardians, Predator Conservation Alliance and Gallatin Yellowstone Wilderness Alliance.

14. I've seen hundreds of grizzly bears, mostly in Yellowstone National Park, but also in surrounding areas. I have also seen them in Glacier National Park and Denali National Park, as well as on the Custer-Gallatin National Forest, and on private lands in Montana. I've had the pleasure of showing grizzlies to hundreds of people as part of my profession as a guide and naturalist Yellowstone National Park and Glacier National Park.

15. Grizzlies face a tough road ahead. There are so many threats to their survival that it is dizzying. To my knowledge, at least 50 have died this year in the Greater Yellowstone region, and more than 40 have been killed in the Northern Continental Divide Ecosystem. They face threats from a variety of sources, including: vehicles (getting hit by cars and trucks on highways, and by trains while drunk from fermented spilled grain), getting into human food and garbage leading

to habituation (“a fed bear is a dead bear,” so the saying goes), management control actions (killing and/or removal and translocation) by wildlife managers due to predation on livestock or conflicts with humans, accidental kills by hunters, illegal poaching, accidental trapping and snaring by wolf hunters, and loss of habitat due to urban development, logging, mining, and road building. They face ever-increasing numbers of humans in their habitat, conflict with recreationists, loss of connectivity with other populations, loss of genetic diversity, and loss of important food sources, such as Whitebark pine seeds, cutthroat trout, and army cutworm moths. And the biggest threat they face is potential delisting (i.e., removal from the list of threatened and endangered wildlife under the Endangered Species Act) -- I fear that grizzlies in the Yellowstone region are likely to be proposed for delisting, yet again, very soon, and that would mean state management, which would mean potential trophy hunting and likely less protection for their safety, survival, and recovery in the region.

16. I care deeply about these animals for many reasons. For one, they have a right to exist undisturbed. They help maintain the health of other native wildlife, such as elk herds and bison. They clean-up and scavenge on carcasses, sanitizing the landscape and contributing to the balance of the ecosystem. Grizzlies are fascinating to watch and we have so much to learn from them. They are an umbrella species

where their survival in an area aids the survival of all other species of wildlife found there, and many plants as well. They have fascinating relationships with other animals such as wolves, bison, pocket gophers, insects, Whitepark pines, Clark's nutcrackers, red squirrels, etc. Grizzlies also help keep humans a bit humble by letting us know we are not the most powerful animal on the landscape. They remind us we are part of the food chain and part of the tapestry of life.

17. I believe that it is essential that the U.S. Forest Service follow the law and strictly regulate livestock grazing on public lands. Their failure to prepare an Environmental Impact Statement (EIS) for the East Paradise grazing allotments means I and my colleagues cannot know the full impact that the expanded and continued grazing of these allotments in key wildlife habitat will have on our public lands, on the threatened grizzly bear, nor on other wildlife.

18. If the Forest Service does not follow the Administrative Procedure Act (APA) and the National Environmental Policy Act (NEPA), and properly consider the impacts of its action via the preparation of an EIS, my ability to safely and fully enjoy these public lands in the Paradise Valley may be jeopardized.

19. It is extremely important to me that grizzlies and other wildlife have productive habitat that is not degraded by federally-subsidized livestock grazing.

20. Bears encountering livestock on those allotments may be put in jeopardy of preying on livestock and subsequently being subject to control actions (i.e., removal, translocation, or even death). I believe wildlife should take precedence over government-subsidized livestock grazing. Any control actions against grizzly bears on the East Paradise allotments as a result of the Forest Service's decision in this case would cause me outrage and anguish.

21. Additionally, I do not want to experience fences, stock tanks, roads and other grazing "improvements" on what should be pristine public lands.

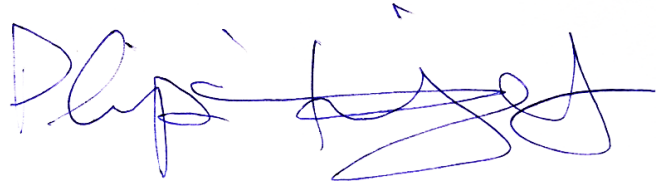
22. The East Paradise decision has harmed my recreational, aesthetic, educational and scientific interests in viewing grizzly bears in the East Paradise region, and in my ability to ensure their eventual recovery in the region.

23. If, as the result of this litigation, the Court orders the Forest Service to produce a full EIS and conduct a proper analysis of the impacts of the East Paradise grazing allotments on grizzly bears, in particular, my concerns would be alleviated and the Forest Service's subsequent analysis and decision could result in an outcome more favorable to wildlife, such as grizzly bears, and could assist with the long-term viability of wildlife populations in the Paradise Valley and beyond.

24. Knowing that the grizzly bear faces so many threats to its long-term survival means we must do everything in our power to ensure that they are not

harmful by poor and hasty decisionmaking by the U.S. Forest Service that fails to comply with the important procedural mandates the law demands.

Executed this 5<sup>th</sup> day of December, 2023, in Bozeman, Montana.



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PHIL KNIGHT